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7 **THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN THE ARIZONA TAX COURT**

9 ESTATE OF HELEN H. LADEWIG, *et al.*,

10 Plaintiffs,

11 v.

12 ARIZONA DEPARTMENT OF REVENUE
and its Director, in his official capacity,

13 Defendants.

No. TX 97-00075

**INTERIM ORDER RE
ARIZONA DEPARTMENT OF
REVENUE'S MOTION FOR
ORDER AUTHORIZING
CORRECTIONS TO OVERPAID
CLAIMS**

14 This matter having come before the Court on hearing on May 26, 2005, pursuant
15 to the Arizona Department of Revenue's Motion for Order Authorizing Corrections to
16 Overpaid Claims, and good cause appearing,

17 IT IS ORDERED that the Department may delay the second installment payment
18 to those class members that it believes received an overpayment pending resolution of the
19 Motion.

20 IT IS FURTHER ORDERED that a hearing be held on September 19, 2005 at
21 8:30 a.m., to consider the Department's Motion, including any additional procedures that
22 the Department must follow with respect to each individual from whom ADOR seeks
23 recovery.

24 IT IS FURTHER ORDERED that the attached form of notice is approved by this
25 Court. The Department shall mail the attached form of notice to all effected class
26 members no later than June 30, 2005.

1 IT IS FURTHER ORDERED that the Department shall post a copy of the Motion
2 and this Interim Order on its website, www.revenue.state.az.us. Class Counsel shall file
3 its Response to the Motion no later than August 19, 2005 and transmit an electronic copy
4 of the Response to the Department. The Department shall post a copy of Class Counsel's
5 Response on its website.

6 IT IS FURTHER ORDERED that the Department shall make a copy of the motion
7 available to class members who request a copy by writing to the Arizona Department of
8 Revenue, P.O. Box 29099, Phoenix, Arizona 85038-9099, or calling the Department at
9 (602) 542-0700. The Department shall also make information about an individual class
10 members' claim available to that class member if the class members requests that
11 information from the Department in writing or telephonically.

12 IT IS FURTHER ORDERED that class members who wish to appear in person or
13 through counsel and be heard concerning the Department's Motion must file a notice of
14 his/her intention to appear together with a written statement that details the specific
15 objection and basis for such objection no later that August 26, 2005.

16 IT IS FURTHER ORDERED that the Department shall segregate and separately
17 account for all expenses that it incurs in connection with the Motion, including any costs
18 associated with the review of affected class members' records and the notice required by
19 this Order, from May 25, 2005 forward.

20 DATED: _____.

21
22 _____
23 PAUL A. KATZ
24 Maricopa County Superior Court Judge
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